

REMARKS/ARGUMENTS

Claims 1-17 are pending in this application. By this Amendment, claims 1, 3-5, 9 and 13 are amended and claims 16-17 are added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

A. Applicants sincerely acknowledge the Office Action's indication that claims 3-12 and 14-15 define patentable subject matter. However, for at least the reasons set forth above, Applicants respectfully submit that all pending claims are in condition for allowance.

B. The Office Action objects to the disclosure for informalities. Applicants respectfully submit the above amendments obviate the grounds for the objection. Withdrawal of the objection to the disclosure is respectfully requested.

C. The Office Action objects to claims 5 and 9 for informalities. Applicants respectfully submit the above amendments obviate the grounds for the objection. Withdrawal of the objection to claims 5 and 9 is respectfully requested.

D. The Office Action rejects claims 3-4 under 35 U.S.C. §112, second paragraph. Applicants respectfully submit that the above amendments obviate the grounds for the rejection. Further, Applicants respectfully note that omission of synchronization codes is described at least at page 10, line 20 through page 11, line 4 of the present specification. Withdrawal of the rejection to claims 3-4 under 35 U.S.C. §112 is respectfully requested.

E. The Office Action rejects claims 1-2 and 13 under 35 U.S.C. §102(a) over U.S. Patent No. 5,930,366 to Jamal et al. (hereafter "Jamal"). The rejection is respectfully traversed.

With respect to claim 1, Applicants respectfully submit that Jamal fails to disclose every claimed feature as required under §102. For example, Jamal fails to disclose at least features of an asynchronous wireless communication system and combinations thereof as recited in claim 1. Further, Applicants respectfully submit Jamal does not disclose at least features of a base station for transmitting a first synchronization signal C_p having a plurality of synchronization codes from the base station to each user device periodically, including omitting at least one particular synchronization code from the plurality of synchronization codes when the base station transmits the synchronization codes and combinations thereof as recited in claim 1.

In contrast, Applicants respectfully submit that Jamal discloses a primary synchronization code \bar{c}_p repeated in each slot of the repeating frame. See column 14, lines 16-24 and Figures 1-6F of Jamal. Further, Applicants respectfully submit that Jamal does not teach or suggest any modifications to its disclosure that would result in at least features of an asynchronous wireless communication system including a base station for transmitting a first synchronization signal C_p and combinations thereof as recited in claim 1.

With respect to claim 13, Applicants respectfully submit that Jamal does not teach or suggest at least a feature of wherein the omitted one of the synchronization codes is used to identify the base station as the source of the synchronization signal and combinations thereof as recited in claim 13. Applicants respectfully submit that Jamal does disclose that switches 164 are driven to omit one of the synchronization codes used to identify the base station and

combinations thereof. Further, Applicants respectfully submit that Jamal does not teach or suggest any modification to its disclosure that would result in at least features of wherein the omitted one of the synchronization codes is used to identify the base station as the source of the synchronization signal and combinations thereof as recited in claim 13.

For at least the reasons set forth above, Applicants respectfully submit that claims 1 and 13 define patentable subject matter. Claim 2 depends from claim 1 and therefore also defines patentable subject matter for at least that reason as well as its additionally recited features. Withdrawal of the rejection of claims 1-2 and 13 under 35 U.S.C. §102 is respectfully requested.

F. Claims 16-17 are newly added by this Amendment and believed to be in condition for allowance.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

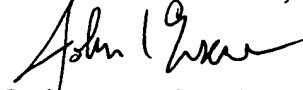
If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Carl R. Wesolowski**, at the telephone number listed below.

Serial No. 09/478,496
Reply to Office Action March 22, 2004

Docket No. K-151

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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Date: July 21, 2004

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